

out of a district or districts that had been theretofore a Consolidated Common School District or Districts, validating all elections, tax assessments, assessment rolls, and tax rolls, and the levy of taxes by said School Districts, validating all proceedings had in the issuance of bonds and the levying of taxes therefor, validating bonds heretofore authorized or voted but not yet issued, providing for certain exceptions where litigation is pending; and declaring an emergency."

Referred to the Committee on Education.

### ADJOURNMENT

Mr. Reed of Dallas moved that the House recess to 10:00 o'clock a. m., tomorrow.

Mr. McCalla moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. McCalla, it prevailed, and the House, accordingly, at 5:15 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills as follows:

Education: House Bill No. 51.

Municipal and Private Corporations: House Bill No. 54.

#### THIRTEENTH DAY

(Tuesday, October 20, 1936.)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll of the House was called and the following Members were present:

Mr. Speaker	Bradbury
Adamson	Bradford
Adkins	Bridgers
Aikin	Broadfoot
Alexander	Broyles
Alsup	Burton
Ash	Butler of Brazos
Atchison	Butler of Karnes
Bergman	Cagle
Bourne	Calvert

Canon	Knetsch
Collins	Lanning
Colson	Latham
Cooper	Leath
Cowley	Lemens
Craddock	Leonard
Crossley	Lindsey
Daniel	Lotief
Davis	Luker
Davison of Fisher	Mauritz
Davisson	McCalla
of Eastland	McFarland
Dickison	McKee
Dunagan	McKinney
Dunlap of Hays	Moffett
Dunlap of Kleberg	Moore
Duvall	Morris
Dwyer	Morrison
England	Morse
Fain	Newton
Farmer	Nicholson
Fisher	Olsen
Ford	Patterson
Fox	Payne
Frazer	Petsch
Fuchs	Quinn
Gibson	Reader
Glass	Reed of Bowie
Good	Reed of Dallas
Graves	Riddle
Gray	Roach of Angelina
Greathouse	Roach of Hunt
Hankamer	Roane
Hanna	Roark
Hardin	Rogers
Harper	Russell
Harris of Archer	Rutta
Harris of Dallas	Scarborough
Hartzog	Sessions
Head	Settle
Herzik	Shofner
Hill	Smith
Hodges	Spears
Hofheinz	Steward
Holland	Stinson
Hoskins	Stovall
Howard	Tarwater
Huddleston	Tennyson
Hunt	Thornton
Hunter	Tillery
Hyder	Venable
Jackson	Waggoner
James	Walker
Jefferson	Wells
Jones of Atascosa	Westfall
Jones of Falls	Wood of Harrison
Jones of Shelby	Wood of Montague
Jones of Wise	Worley
Keefe	Young
King	Youngblood
	Absent
Celaya	Pope
Lange	Stanfield

## Absent—Excused

Caldwell	Padgett
Colquitt	Palmer
Lucas	Roberts
McConnell	

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered the following invocation:

"Lord, for Thy protecting care over us and for the gifts of Thy providence we praise Thee. May Thy will prevail in us as we hope to be led by Thy spirit in all our ways. For Christ's sake. Amen."

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence, on account of important business:

Mr. Caldwell for today, on motion of Mr. Cooper.

Mr. Roberts for yesterday and today, on motion of Mr. Ford.

Mr. Lucas for today, on account of important State business, on motion of Mr. Keefe.

The following Members were granted leaves of absence on account of illness:

Mr. Colquitt for today, on motion of Mr. Collins.

Mr. Palmer for today, on motion of Mr. Huddleston.

Mr. McConnell for today, on account of illness in his family, on motion of Mr. Stovall.

(Mr. Butler of Brazos in the Chair.)

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Crossley and Mr. Harper:

H. B. No. 57, A bill to be entitled "An Act to create Road District No. 1-A, in Cass County, Texas; validating and approving all orders made by the Commissioners' Court of said County in respect to the organization of said District, or certified copies thereof, and constituting such orders legal evidence; providing that the present outstanding bonds of Consolidated Road District No. 1 shall remain a charge against all the taxable property sit-

uated within said Consolidated Road District No. 1 as it existed at the date of the issuance of the said present outstanding bonds; providing that the Commissioners' Court of Cass County shall continue to levy, assess and collect annually sufficient taxes to pay interest thereon and provide sinking funds sufficient to pay the principal at maturity, said taxes to be levied and collected upon all the property situated in said Consolidated Road District No. 1 as it existed at the time of the issuance of the present outstanding bonds; providing that Road District No. 1-A, as herein defined, shall have authority to issue bonds for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof, upon a vote of two-thirds majority of the resident property taxpaying voters therein, who have duly rendered their property for taxation and who are qualified electors of said Road District No. 1-A, as herein defined; providing for the levy and collection of taxes sufficient to pay the interest on and provide sinking fund therefor, such bonds and taxes to be a charge only against said Road District as herein described and defined; and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Scarborough:

H. B. No. 58, A bill to be entitled "An Act to validate, ratify, approve, confirm and declare enforceable all levies and assessments of ad valorem taxes heretofore made by incorporated cities and towns in this State which are unenforceable because same were made and adopted by resolution, motion or other informal action, and because of the failure of the governing body of such city or town to appoint the proper and statutory board of equalization; and which are insufficient and unenforceable on account of technical irregularities in the manner of preparing the books and reports of the assessors assessing such property; and all equalizations of such valuations of such property for taxation purposes made by the boards of equalization acting for such city or town which are irregular or insufficient because such reports were adopted orally or by other informal action; provided, this Act shall not affect any suit or suits pending at the time this

Act becomes effective; and provided further that this Act shall be applicable only to cities and towns having a population of not less than Three Thousand Three Hundred Five (3305) and not more than Three Thousand Four Hundred Forty-Five (3445), according to the last preceding Federal Census; and declaring an emergency."

Referred to the Committee on Judiciary.

(Speaker in the Chair.)

#### RELATIVE TO APPOINTMENT OF A COMMITTEE TO STUDY TAX PROBLEMS

Mr. McFarland offered the following resolution:

Whereas, Texas is faced with the need of additional revenue to pay Old Age Assistance benefits in the State, the expenses of ordinary government and various emergencies that arise from time to time; and

Whereas, The Legislature of Texas is charged with the duties and responsibilities of securing said revenue and the members are each responsible to the people of Texas for enacting just and proper laws whereby said revenue may be collected and economically appropriated; and

Whereas, There exists in Texas a more or less haphazard system of levying and collecting taxes wherein certain groups are taxed higher than others and wherein the ad valorem tax system of the State is poorly administered and in many instances property taxes, both local and State, are assessed beyond the ability of said property to pay, and vast quantities of other property are entirely escaping taxation; and

Whereas, There is incumbent upon the present Legislature, as well as the Forty-fifth Texas Legislature and succeeding Legislatures, the responsibility of giving careful study to all tax laws and tax problems with the hope that all taxes may be equitably levied and collected; and

Whereas, It is practically impossible for each member to give sufficient time and study to these problems in a coordinated manner; and

Whereas, A selected group of men personally interested in tax problems could serve such a cause to a great advantage to the Legislature and to the people of Texas; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That a committee of three Members be appointed by the Speaker of the House of Representatives, with the State Comptroller and the State Tax Commissioner considered as ex-officio members of the committee, whose duty shall be to make a complete study of the tax problems of the State and to draft such proposed bills as in the judgment of the committee are needed, to correct the many inequalities of our tax system and make a report with such bills prepared for submission to the House at the convening of the Forty-fifth Legislature in January, 1937, or as soon thereafter as in the judgment of the committee is practicable; and, be it further

Resolved, That this committee shall be empowered to make its own rules and regulations, governing its proceedings to conduct hearings, to call into its service the Attorney General's Department and such other branches of State Government as it may deem necessary to the proper discharge of its duties; and, be it further

Resolved, That said committee be allowed expenses not to exceed the sum of One Thousand Dollars (\$1000) to be paid out of the Contingent Expense Account of the Third Called Session of the Forty-fourth Legislature of the State of Texas.

McFARLAND,  
WALKER,  
WOOD of Harrison,  
LANNING,  
TENNYSON,  
CALVERT,  
WELLS,  
SETTLE,  
THORNTON,  
JONES of Wise,  
MOFFETT,  
HARRIS of Archer,  
LATHAM,  
GIBSON,  
FISHER,  
McKINNEY,  
MORSE,  
LEONARD,  
FAIN,  
HOWARD,  
HUNTER,  
DAVIS,  
STEWARD,  
PADGETT,  
JAMES,  
DUVALL,  
NICHOLSON,  
TARWATER,

SCARBOROUGH,  
ROGERS,  
DUNLAP of Hays,  
BURTON,  
WOOD of Montague,  
COLQUITT,  
COLLINS,  
JONES of Atascosa,  
HOFHEINZ,  
HARTZOG,  
SHOFNER,  
MAURITZ.

The resolution was read second time.

On motion of Mr. Frazer, the resolution was referred to the Committee on Contingent Expenses.

#### RELATIVE TO PROPER VENTILATION OF THE HOUSE

Mr. Davis offered the following resolution:

Whereas, The ventilation of the House of Representatives is very bad and due to this faulty ventilation, it is the opinion of certain members of the medical profession that we have contacted, that it is the cause of so many bad colds, flu, and other respiratory troubles. The ventilation as now provided makes it an ideal incubator and fertile soil for the growth of such bacteria; now, therefore, be it

Resolved, That the Speaker of the House of Representatives be directed to take up with the Board of Control the question of proper ventilation of the House of Representatives and have same done and completed by the convening day of the Forty-fifth Legislature, and the expenses necessary to provide proper ventilation be paid for out of the Contingent Expenses.

DAVIS,  
TARWATER,  
READER.

The resolution was read second time.

Mr. Reed of Bowie moved that the House dispense with the consideration of resolutions at this time.

The motion was lost.

Mr. Quinn moved to table the resolution.

The motion to table was lost.

Mr. Wells moved that the resolution be referred to the Committee on Contingent Expenses, with the request that the Committee secure information as to the approximate cost of carrying out the provisions of the resolution.

Mr. Reader moved to table the motion to refer the resolution.

The motion to table was lost.

Question recurring on the motion by Mr. Wells, to refer the resolution to the Committee on Contingent Expenses, it prevailed.

Mr. Reed of Bowie raised a point of order, on further introduction of resolutions, at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

#### RELATIVE TO MAKING CERTAIN REQUEST OF GOVERNOR

Mr. McCalla offered the following resolution:

Whereas, This Third Called Session of the Texas Legislature was convened for the primary purpose of raising revenues to pay Old Age Pensions; and

Whereas, His Excellency, the Governor of Texas, in his message to the Legislature, recommended transferring the moneys held in the Permanent Old Age Assistance Fund, by virtue of House Bill No. 26 of the Second Called Session of the Forty-fourth Legislature, to the Available Old Age Assistance Fund, thus in the opinion of many members requiring an amendment at least by implication of said House Bill No. 26; and

Whereas, The Senate of Texas has amended House Bill No. 8 of the present Session to include provisions further restricting and limiting those eligible to receive Old Age Pensions in Texas, thus in effect amending House Bill No. 26 of the Second Called Session; and

Whereas, The President of the Senate has held that the revision of said House Bill No. 26 is within the Governor's call at this Session, but there is some question as to what will be the holding of the Speaker of the House of Representatives in the event a point of order is raised against the said amendment to House Bill No. 8, popularly known as the "Small amendment"; and

Whereas, Many Members of the House of Representatives are desirous of expressing an opinion on the question of deliberalizing said House Bill No. 26; and

Whereas, Approximately one week of this Session remains, and this pos-

sible difference of opinion in the two Houses of this Legislature as to the "Small Amendment" seriously jeopardizes the passage of any worthwhile legislation to finance Old Age Pensions; now, therefore, be it

Resolved by the House of Representatives, That his Excellency, the Governor of Texas, be and he is hereby respectfully requested by supplemental message to advise the House whether the subject of amending said House Bill No. 26, popularly known as the Old Age Pension Law, was intended by him to be submitted to this Legislature at this Session, together with his recommendations for or against deliberalizing the present Old Age Assistance Law; be it further

Resolved, That the Chief Clerk of the House be instructed to transmit this resolution immediately to the Governor.

McCALLA,  
THORNTON,  
GIBSON,  
ALEXANDER,  
STEWART,  
FISHER,  
KING,  
JONES of Atascosa.

The resolution was read second time.

Mr. Fain moved that the resolution be referred to the Committee on State Affairs.

Mr. Reed of Bowie moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—72

Adkins	Davisson
Aikin	of Eastland
Alsup	Dickison
Ash	Dunlap of Hays
Bradbury	England
Bradford	Fain
Broyles	Farmer
Butler of Karnes	Ford
Cagle	Frazer
Calvert	Fuchs
Colson	Glass
Cooper	Gray
Cowley	Harper
Daniel	Head
Davis	Herzik
Davison of Fisher	Huddleston
	Hunt

Hunter  
Hyder  
James  
Jefferson  
Jones of Falls  
Jones of Shelby  
Jones of Wise  
Keefe  
Knetsch  
Lanning  
Lemens  
Lindsey  
Lotief  
Luker  
McKee  
Moffett  
Morris  
Morrison  
Olsen  
Patterson

Petsch  
Quinn  
Reader  
Reed of Bowie  
Riddle  
Roach of Hunt  
Roark  
Russell  
Rutta  
Sessions  
Settle  
Smith  
Spears  
Tarwater  
Tillery  
Venable  
Wells  
Wood of Harrison  
Wood of Montague  
Youngblood

#### Nays—54

Adamson	Hofheinz
Alexander	Holland
Atchison	Hoskins
Bergman	Jackson
Bourne	Jones of Atascosa
Bridgers	Latham
Burton	Leonard
Butler of Brazos	McCalla
Canon	McFarland
Collins	McKinney
Craddock	Moore
Crossley	Morse
Dunagan	Nicholson
Duvall	Reed of Dallas
Fisher	Roane
Fox	Rogers
Gibson	Scarborough
Good	Steward
Graves	Stinson
Greathouse	Stovall
Hankamer	Tennyson
Hanna	Thornton
Hardin	Waggoner
Harris of Archer	Walker
Harris of Dallas	Westfall
Hartzog	Worley
Hodges	Young

#### Present—Not Voting

Leath

#### Absent

Broadfoot	Mauritz
Celaya	Newton
Dunlap of Kleberg	Payne
Dwyer	Pope
Hill	Roach of Angelina
Howard	Shofner
King	Stanfield
Lange	

## Absent—Excused

Caldwell	Padgett
Colquitt	Palmer
Lucas	Roberts
McConnell	

TO PROVIDE FOR CERTAIN  
INVESTIGATING COMMITTEE

Mr. Petsch offered the following resolution:

Whereas, It has been reported to the House of Representatives that House Bill No. 8 was materially changed to the extent that a new page was inserted after the bill had been filed with the Chief Clerk and had become a part of the records of the House; and

Whereas, It has been further reported that the same situation occurred during the Regular Session of this Legislature in a number of bills; and

Whereas, It is a self-evident fact that a bill after being filed with the Chief Clerk is the property of the House and the same is a public document and no person is authorized to change such document in any particular or capacity without first having obtained the consent of the House; and

Whereas, Any change made in such a document without the consent of the House constitutes, to say the least, a gross violation of the Rules of the House and probably the Statutes of the State of Texas; and

Whereas, Any wilful change made for the purpose of practicing a fraud upon the House deserves to be severely punished; and

Whereas, To permit the aforementioned occurrence to go unchallenged and uninvestigated by the House would result in the loss of confidence of the Members of the House and in their legislative machinery and personnel and would seriously reflect upon each Member of the House; therefore, be it

Resolved, That the Speaker of the House of Representatives appoint a committee of five members to investigate and report back to the House the facts in connection with the aforementioned conditions, and also to recommend to the House such changes in procedure as will hereafter avoid the unfortunate conditions hereinbefore outlined, and further recommend to the House what action, if any,

should be taken in reference to the persons responsible for the alteration of the bills herein referred to; and, be it further

Resolved, That said committee shall complete its labors not later than Monday morning, October 26th.

PETSCH,  
JONES of Wise,  
GRAVES,  
MORRIS,  
DANIEL.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 48 ON PASSAGE  
TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 48, A bill to be entitled "An Act amending and re-enacting Subsection 5 of Section 1, Chapter 10, Acts of First Called Session of the Forty-third Legislature relative to the taxes levied on the pari-mutuel wagering system, etc., and declaring an emergency."

The bill having heretofore been read second time.

Mr. Knetsch offered the following amendment to the bill:

Amend House Bill No. 48, page 5, lines 15 and 16, by striking out the words "fifty per cent," and insert in lieu thereof the words "thirty-five per cent."

On motion of Mr. Russell, the amendment was tabled.

Mr. Stinson offered the following amendment to the bill:

Amend House Bill No. 48, Subsection 2, page 5, line 15, by striking out the word "fifty," and insert in lieu thereof the words "thirty-seven and one-half."

On motion of Mr. Russell, the amendment was tabled.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 48 was then passed to engrossment.

HOUSE BILL NO. 48 ON THIRD  
READING

Mr. Russell moved that the constitutional rule, requiring bills to be read on three several days, be sus-

pending, and that House Bill No. 48 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98

Adamson	Jackson
Adkins	James
Aikin	Jones of Atascosa
Alsup	Jones of Shelby
Atchison	Jones of Wise
Bergman	Keefe
Bourne	Lanning
Bridgers	Latham
Broadfoot	Leath
Burton	Lemens
Butler of Brazos	Leonard
Butler of Karnes	Lindsey
Cagle	Lotief
Calvert	Luker
Canon	McFarland
Colson	Moffett
Cooper	Moore
Craddock	Morris
Crossley	Morrison
Davis	Newton
Davisson	Olsen
of Eastland	Patterson
Dunagan	Payne
Dunlap of Hays	Petsch
Dunlap of Kleberg	Quinn
England	Reed of Bowie
Fain	Reed of Dallas
Farmer	Riddle
Fisher	Roach of Angelina
Ford	Roach of Hunt
Fox	Roark
Fuchs	Russell
Glass	Rutta
Graves	Sessions
Gray	Settle
Hankamer	Smith
Hardin	Steward
Harper	Stovall
Harris of Archer	Tennyson
Harris of Dallas	Thornton
Hartzog	Tillery
Head	Venable
Herzik	Waggoner
Hill	Walker
Hodges	Wells
Holland	Westfall
Hoskins	Wood of Harrison
Hunt	Wood of Montague
Hunter	Youngblood
Hyder	

Nays—24

Ash	Davison of Fisher
Bradbury	Dickison
Bradford	Greathouse
Broyles	Hanna
Collins	Howard

Huddleston  
Jones of Falls  
King  
Knetsch  
McKee  
McKinney  
Morse

Nicholson  
Reader  
Roane  
Scarborough  
Shofner  
Stinson  
Young

Absent

Alexander	Jefferson
Celaya	Lange
Cowley	Mauritz
Daniel	McCalla
Duvall	Pope
Dwyer	Rogers
Frazer	Spears
Gibson	Stanfield
Good	Tarwater
Hofheinz	Worley

Absent—Excused

Caldwell	Padgett
Colquitt	Palmer
Lucas	Roberts
McConnell	

The Speaker then laid House Bill No. 48 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—97

Adamson	Frazer
Adkins	Fuchs
Aikin	Graves
Alsup	Gray
Atchison	Hankamer
Bergman	Hardin
Bourne	Harper
Bridgers	Harris of Archer
Broadfoot	Harris of Dallas
Burton	Head
Butler of Brazos	Herzik
Butler of Karnes	Hill
Cagle	Hodges
Calvert	Hoskins
Canon	Hunt
Collins	Hunter
Colson	Hyder
Cooper	Jackson
Craddock	James
Crossley	Jefferson
Davis	Jones of Atascosa
Davisson	Jones of Shelby
of Eastland	Jones of Wise
Dunagan	Keefe
Dunlap of Hays	Lanning
England	Latham
Farmer	Leath
Fisher	Lemens
Ford	Leonard
Fox	Lindsey

Lotief	Roark
Luker	Russell
McFarland	Rutta
Moffett	Sessions
Moore	Settle
Morris	Smith
Morrison	Spears
Newton	Stovall
Nicholson	Tennyson
Olsen	Thornton
Patterson	Tillery
Payne	Venable
Petsch	Waggoner
Quinn	Walker
Reed of Bowie	Wells
Reed of Dallas	Westfall
Riddle	Wood of Harrison
Roach of Angelina	Wood of Montague
Roach of Hunt	Youngblood

## Nays—28

Ash	Huddleston
Bradbury	Jones of Falls
Bradford	King
Broyles	Knetsch
Davison of Fisher	McKee
Dickison	McKinney
Dunlap of Kleberg	Morse
Dwyer	Reader
Fain	Roane
Greathouse	Scarborough
Hanna	Shofner
Hartzog	Steward
Holland	Stinson
Howard	Young

## Absent

Alexander	Lange
Celaya	Mauritz
Cowley	McCalla
Daniel	Pope
Duvall	Rogers
Gibson	Stanfield
Glass	Tarwater
Good	Worley
Hofheinz	

## Absent—Excused

Caldwell	Padgett
Colquitt	Palmer
Lucas	Roberts
McConnell	

## HOUSE BILL NO. 32 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 32, A bill to be entitled "An Act defining certain words, terms, and phrases for the purposes hereof; providing and imposing an occupation tax on the first sale, distribution or

use of carbon black in this State, providing certain exceptions; requiring distributors of carbon black to obtain a permit and file with the Comptroller of Public Accounts a surety bond or in lieu of bond to deposit in a Suspense Account in the State Treasury an amount of money equal to the amount of bonds required; regulating the issuance of such permits and providing for the suspension and revocation of permits issued; etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—105

Adamson	Hofheinz
Adkins	Holland
Aikin	Hoskins
Alsup	Howard
Atchison	Huddleston
Bergman	Hunt
Bourne	Hunter
Bradbury	Hyder
Bridgers	Jackson
Broadfoot	James
Broyles	Jones of Atascosa
Burton	Jones of Falls
Butler of Karnes	Jones of Shelby
Cagle	Jones of Wise
Calvert	Keefe
Canon	King
Collins	Knetsch
Colson	Leath
Cooper	Lemens
Craddock	Leonard
Crossley	Lindsey
Daniel	Lotief
Davis	Luker
Dickison	McCalla
Dunlap of Hays	Moffett
Dwyer	Moore
England	Morris
Farmer	Morrison
Fisher	Newton
Ford	Olsen
Fox	Patterson
Frazer	Petsch
Fuchs	Quinn
Glass	Reader
Graves	Reed of Bowie
Gray	Reed of Dallas
Greathouse	Riddle
Hankamer	Roach of Angelina
Hanna	Roach of Hunt
Hardin	Russell
Harper	Rutta
Harris of Archer	Scarborough
Harris of Dallas	Sessions
Head	Settle
Herzik	Shofner
Hodges	Smith



Spears	Walker
Stinson	Wells
Stovall	Westfall
Tennyson	Wood of Montague
Tillery	Young
Venable	Youngblood
Waggoner	

## Nays—24

Ash	Latham
Bradford	Mauritz
Butler of Brazos	McKee
Davison of Fisher	Morse
Davisson	Nicholson
of Eastland	Roane
Dunagan	Roark
Dunlap of Kleberg	Rogers
Fain	Steward
Gibson	Thornton
Hartzog	Wood of Harrison
Hill	Worley
Lanning	

## Absent

Alexander	McFarland
Celaya	McKinney
Cowley	Payne
Duvall	Pope
Good	Stanfield
Jefferson	Tarwater
Lange	

## Absent—Excused

Caldwell	Padgett
Colquitt	Palmer
Lucas	Roberts
McConnell	

MOTION TO PLACE HOUSE BILL  
NO. 2 ON SECOND READING

Mr. Spears moved that the regular order of business be suspended, at this time, to take up and have placed on its second reading and its passage to engrossment,

H. B. No. 2, A bill to be entitled "An Act amending Sub-division 40A, Section I, Chapter 212, House Bill 251, Acts Regular Session Forty-second Legislature; levying a tax upon persons, firms, and corporations, who produce sulphur; providing for the making of sworn quarterly reports to the Comptroller, providing that the occupation tax on sulphur be Two (\$2.00) Dollars per ton, and for the collection of same; etc., and declaring an emergency."

The motion was lost.

RELATIVE TO SUPPLIES TO BE  
FURNISHED TO MEMBERS

Mr. Leonard submitted the following motion:

I move that the Committee on Contingent Expenses be authorized to al-

low to each Member of the House credit for stationery, postage, telephone tolls, telegraph tolls and such other supplies and services as are needed by the individual members in their official capacities. This allowance shall be in excess of the \$30 credit provided in the resolution found on page 22 of the House Journal, in all cases where the individual members make affidavits that such excess credit covering supplies and services is needed to carry out their official duties.

LEONARD.

Mr. Graves offered the following amendment to the motion:

Amend the motion by adding thereto, the following:

"In no case to amount to more than \$50.00."

GRAVES,  
AIKIN.

Mr. Leonard moved to table the amendment.

The motion to table was lost.

Question recurring on the amendment, it was adopted.

Question then recurring on the motion, as amended, it prevailed.

## RECESS

On motion of Mr. Hartzog, the House at 12:00 o'clock m., took recess to 2:00 o'clock p. m., today.

## AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

## LEAVES OF ABSENCE GRANTED

(By unanimous consent.)

Mr. McKee was granted leave of absence for this afternoon, on account of illness, on motion of Mr. Hoskins.

Mr. Jones of Atascosa was granted leave of absence for this afternoon, on account of illness, on motion of Mr. Davis.

HOUSE BILL NO. 39 ON PASSAGE  
TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 39, A bill to be entitled "An Act making it unlawful to engage

or assist in pool selling or bookmaking on horse races; making it unlawful by means of telegraph or telephone or otherwise to aid or assist in pool selling or bookmaking or to aid or assist other persons in wagering or placing bets on horse races; making it unlawful for property to be used as a place for selling pools or bookmaking or wagering or receiving or assisting persons in placing bets or in receiving or offering to bet anything of value on horse races; defining operator of the business of pool selling or bookmaking; providing that certain provisions of this Act shall not be applicable to persons obtaining a permit or license to engage in the operation of a bookmaking or pool selling business; requiring registration of operator of pool selling or bookmaking business, payment of license fee, penalties for failure to register and pay fees; setting time for duration of license; providing for deposit of all license fees in the Treasury to the credit of the Available School Fund and the Texas Old Age Assistance Fund; providing for the Texas Racing Commission to make and issue registration forms and licenses and to promulgate rules and regulations therefor; providing penalties for the violation of any provision of this Act; repealing all laws and parts of laws conflicting; and declaring an emergency."

The bill having heretofore been read second time.

Mr. Russell offered the following amendment to the bill:

Amend House Bill No. 39, by adding the following at the end of Section 6:

"Each licensee shall also pay to the State 2% of the gross amount placed or wagered with the licensee."

Mr. Duvall offered the following amendment to the amendment by Mr. Russell:

"Amend the amendment by striking out 2% and inserting in lieu thereof 10%."

Mr. Spears raised a point of order, on further consideration of House Bill No. 39, on the ground that the subject matter contained in the bill has not been submitted by the Governor.

## RELATIVE TO HOUSE BILL NO. 32

Mr. Cooper moved to reconsider the vote by which House Bill No. 32, was, on this morning, passed.

Mr. Bradbury raised a point of order, on further consideration of the motion by Mr. Cooper, on the ground that the motion is not in order at this time in as much as the bill is now in the Senate.

The Speaker sustained the point of order.

## HOUSE BILL NO. 2 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 2, A bill to be entitled "An Act amending Sub-division 40A, Section I, Chapter 212, House Bill 251, Acts Regular Session Forty-second Legislature; levying a tax upon persons, firms, and corporations, who produce sulphur; providing for the making of sworn quarterly reports to the Comptroller, providing that the occupation tax on sulphur be Two (\$2.00) Dollars per ton, and for the collection of same; etc., and declaring an emergency."

The bill was read second time.

Mr. Thornton moved that further consideration of House Bill No. 2, be postponed until 2:30 o'clock p. m., tomorrow.

Question recurring on the motion to postpone further consideration of House Bill No. 2, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—67

Adamson	Dunlap of Kleberg
Alexander	Duvall
Ash	Dwyer
Atchison	England
Bergman	Ford
Bradford	Frazer
Broadfoot	Gibson
Broyles	Hankamer
Butler of Karnes	Hanna
Collins	Hardin
Colson	Harper
Cooper	Harris of Dallas
Cowley	Hartzog
Crossley	Hill
Davisson	Holland
of Eastland	Hoskins
Dunlap of Hays	Howard

Jackson	Reed of Dallas
James	Riddle
King	Roach of Hunt
Lanning	Roane
Latham	Rogers
Leonard	Russell
Mauritz	Settle
McCalla	Smith
McFarland	Steward
McKinney	Stinson
Moore	Thornton
Morris	Walker
Morse	Wells
Nicholson	Westfall
Olsen	Worley
Quinn	Young
Reader	Youngblood
Nays—56	
Adkins	Hyder
Aikin	Jones of Falls
Alsup	Jones of Shelby
Bourne	Jones of Wise
Bradbury	Keefe
Burton	Knetsch
Cagle	Leath
Canon	Lemens
Daniel	Lindsey
Dickison	Lotief
Fain	Luker
Farmer	McConnell
Fisher	Moffett
Fox	Morrison
Fuchs	Newton
Glass	Palmer
Good	Patterson
Graves	Payne
Gray	Petsch
Greathouse	Reed of Bowie
Harris of Archer	Roach of Angelina
Head	Rutta
Herzik	Spears
Hodges	Stovall
Hofheinz	Tarwater
Huddleston	Tennyson
Hunt	Waggoner
Hunter	Wood of Montague

## Present—Not Voting

Davis

## Absent

Bridgers	Pope
Butler of Brazos	Roark
Calvert	Scarborough
Celaya	Sessions
Craddock	Shofner
Davison of Fisher	Stanfield
Dunagan	Tillery
Jefferson	Venable
Lange	Wood of Harrison

## Absent—Excused

Caldwell	Jones of Atascosa
Colquitt	Lucas

McKee  
Padgett

Roberts

## ADDRESS BY HON. ALBERT THOMAS

Mr. Hofheinz offered the following resolution:

Whereas, The House of Representatives is honored today by the presence of United States Congressman-elect Albert Thomas of Harris County; and

Whereas, Mr. Thomas is an outstanding individual in public life today; and

Whereas, Mr. Thomas has served in many offices under the Democratic Party and is a gentleman of outstanding ability as a speaker; therefore, be it

Resolved, That the House of Representatives extend an invitation to the Honorable Albert Thomas to address this honorable body this afternoon for a few minutes on a subject of his own choosing.

HOFHEINZ,  
MORSE,  
McCALLA,  
HOWARD,  
HOLLAND.

The resolution was read second time, and was adopted.

In accordance with the above action, Hon. Albert Thomas, was escorted to the Speaker's stand by Mr. Hofheinz, Mr. McCalla and Mr. Morse.

Speaker Stevenson presented Mr. Hofheinz, who in turn introduced Mr. Thomas.

Mr. Thomas then addressed the House.

## EXTENDING INVITATION TO MEMBERS OF THE HOUSE

The Speaker laid before the House and had read the following communication:

Victoria, Texas, October 20, 1936

Hon. Coke Stevenson, Speaker of the House of Representatives, Austin, Texas

Our committee extends the entire Membership of the House of Representatives a most cordial invitation to attend Victoria's Texas Centennial Celebration on Wednesday, October 28, and be our special guests at an old-fashioned Texas barbecue.

LEOPOLD MORRIS, Chairman.

# RELATIVE TO RECALLING HOUSE BILL NO. 32 FROM THE SENATE

Mr. Cooper offered the following resolution:

Be It Resolved by the House of Representatives, That the Senate be, and is hereby, requested to return to the House of Representatives House Bill No. 32, for further consideration.

The resolution was read second time.

Mr. Jones of Wise moved to table the resolution.

The motion to table prevailed.

## COMMUNICATION TO MEMBERS OF THE HOUSE

The Speaker laid before the House, and had read the following communication:

Dallas, Texas, October 20, 1936

Speaker Coke Stevenson, Care Members of House of Representatives, Texas Legislature, Austin, Texas.

For past three days Mrs. Phinney ill with severe acute bronchitis. Will possibly allow her to leave for Austin tonight.

T. M. KIRKSEY, M.D.

## GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, S. C. R. No. 6, Granting Tom S. Mann permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

## PROVIDING FOR PURCHASE OF CERTAIN STATUTES

The Speaker laid before the House, for consideration at this time, resolution by Mr. Lemens, providing for the purchase of certain statutes.

The resolution having heretofore been read second time and referred to the Committee on Contingent Expenses.

The Committee on Contingent Expenses having recommended the adoption of the resolution.

Mr. Lemens offered the following committee amendment to the resolution:

Amend the Resolving Clause of House Simple Resolution No. 30, by striking out all of the clause after, "that the Contingent Expense Committee of the House be instructed to purchase" and insert the following:

"Eight Volumes of the Texas Statutes, 1936, Centennial Edition.

That one copy be placed in the Enrolling Room, one copy in the Chief Clerk's Office, one copy in the Speaker's Office, and three in the State Library to be reserved for the use of the Members of the House of Representatives."

Mr. Hartzog offered the following substitute for the committee amendment:

Strike out the resolving clause and substitute in lieu thereof the following:

"Be It Resolved, That the Contingent Expense Committee of the House be instructed to purchase for each Member of the House a volume of the Texas Statutes, 1936, Centennial Edition."

The substitute amendment was lost.

Question then recurring on the committee amendment, it was adopted.

Question next recurring on the resolution as amended, it was adopted.

## HOUSE BILL NO. 46 ON SECOND READING

On motion of Mr. Thornton, the regular order of business was suspended, at this time, to take up and have placed on its second reading and its passage to engrossment,

H. B. No. 46, A bill to be entitled "An Act repealing Chapter 116, Acts of the First Called Session of the Forty-third Legislature, as amended by Chapter 354, Acts of the Regular Session of the Forty-fourth Legislature, and declaring an emergency."

The Speaker then laid House Bill No. 46 before the House, and it was read second time.

Mr. Alsup raised a point of order, on further consideration of House Bill No. 46, on the ground that the subject matter contained in the bill has not been submitted by the Governor.

The Speaker overruled the point of order.

Mr. Morris offered the following committee amendment to the bill:

Amend House Bill 46, Subsection "e" of Section 1, page 2, line 1, by adding after the word "else," and before the word "when," the following: "when such machine or machines dispense or are used or are capable of being used or operated for amusement or pleasure, or."

Question—Shall the committee amendment be adopted?

#### RECESS

Mr. Cooper moved that the House recess to 10:00 o'clock a. m., tomorrow.

Mr. Spears moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Spears, it was lost.

Question then recurring on the motion by Mr. Cooper, it prevailed, and the House, accordingly, at 4:35 o'clock p. m., took recess to 10:00 o'clock a. m., tomorrow.

#### APPENDIX

##### STANDING COMMITTEE REPORT

The Committee on Education filed a favorable report on House Bill No. 56.

##### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, October 19, 1936.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 32, A bill to be entitled "An Act defining certain words, terms and phrases for the purposes hereof; providing and imposing an occupation tax on the first sale, distribution or

use of carbon black in this State; providing certain exceptions; requiring distributors of carbon black to obtain a permit and file with the Comptroller of Public Accounts a surety bond or in lieu of bond to deposit in a Suspense Account in the State Treasury an amount of money equal to the amount of bonds required; regulating the issuance of such permits and providing for the suspension and revocation of permits issued; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, October 20, 1936.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 48, A bill to be entitled "An Act amending and re-enacting Subsection 5 of Section 1, Chapter 10, Acts of First Called Session of the Forty-third Legislature relative to the taxes levied on the pari-mutuel wagering system, etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

##### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, October 20, 1936.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 22, Recalling House Bill No. 3 from the Senate.

Has carefully compared same and finds it correctly enrolled.

ROANE, Vice-Chairman.

In Memory of  
**Hon. J. C. Speckels**

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Mr. Herzik offered the following resolution:

Whereas, Death is no respecter of persons, and as the years pass and age creeps up with unerring certainty, the once vigorous body becomes inactive and the edict ever issued is accepted. With infirmity paramount, the pilgrimage on earth comes to an end, much as we may seek to defer it; and

Whereas, Upon the memorial pages of the Journal, because of the excellent service he has rendered to the State as a Member of the House of Representatives of the Twenty-fourth Legislature, and in prominence in his own communities, we inscribe the name of Hon. J. C. Speckels; and

Whereas, Deceased was born in Oldenburg, Germany, September 20, 1847. At the age of 14 years he substituted for his father when the civil war was in progress, and hauled cotton to Mexico. His stories of those exciting days were ever interesting. In 1898 Mr. Speckels was elected, on the republican ticket as representative from Fayette County, to the Twenty-fourth Legislature. He died at his home in La Grange, Texas, December 2, 1935, at the age of 88 years, 2 months, and a few days; and

Whereas, This beloved citizen used his influence to develop this great State, especially Fayette County, and throughout all his life, contributed his time toward the good of man and the up-building of the people of this State; be it therefore

Resolved, That the Members of the Forty-fourth Legislature express their regrets of the passing of this outstanding Statesman and worthy citizen; and, be it further

Resolved, That a copy of this resolution be spread on the Journal of today in memory of the deceased; and, be it further

Resolved, That the Chief Clerk of the House be instructed to send the family of the deceased a copy of this resolution under the seal of the Chief Clerk of the House of Representatives.

HERZIK

The resolution was read second time.

Signed—Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Bergman, Bourne, Bradbury, Bradford, Bridgers, Broadfoot, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Kleberg, Dunlap of Hays, Duvall, Dwyer, England, Fain, Farmer, Fisher, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hanna, Hardin, Harper, Harris of Archer, Harris of Dallas, Hartzog, Head, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Wise, Jones of Shelby, Jones of Falls, Jones of Atascosa, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, McKinney, Moffett, Moore, Morris, Morrison, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reader, Reed of Bowie, Reed of Dallas, Riddle, Roach of Hunt, Roach of Angelina, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Sessions, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Thornton, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Montague, Wood of Harrison, Worley, Young and Youngblood.

On motion of Mr. James, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

**In Memory of**  
**Hon. G. A. Heilig**

---

Mr. Herzik offered the following resolution:

Whereas, Death is no respecter of persons, and as the years pass and age creeps up with unerring certainty, the once vigorous body becomes inactive and the edict ever issued is accepted. With infirmity paramount, the pilgrimage on earth comes to an end, much as we may seek to defer it; and

Whereas, Upon the memorial pages of the Journal, because of the excellent service he has rendered to the State, as a Member of the House of Representatives of the Thirty-second and Thirty-third Legislatures, and in prominence in his own communities, we inscribe the name of Hon. G. A. Heilig; and

Whereas, Hon. G. A. Heilig was born in New Braunfels, November 2, 1855. He was elected to the Legislature in the Thirty-second and Thirty-third Legislatures and during his term was instrumental in having several measures passed. His colleagues ever referred to him as the "human smudgepot" because of his genial manner and excellent and friendly service. He died in Dallas, Texas, May 22, 1935; and

Whereas, Such men leave behind them much that is commendable, and in the general run of time, whether the State prospered or reverses were charged to mankind, one found him ready and willing, responding to the smallest as well as the most general appeal; therefore, be it

Resolved, That the Members of the Forty-fourth Legislature express their regrets of the passing of this outstanding Statesman and worthy citizen; and, be it further

Resolved, That a copy of this resolution be spread on the Journal of today in memory of the deceased; and, be it further

Resolved, That the Chief Clerk of the House be instructed to send the family of the deceased a copy of this resolution under the seal of the Chief Clerk of the House of Representatives.

**HERZIK.**

The resolution was read second time.

Signed—Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Bergman, Bourne, Bradbury, Bradford, Bridgers, Broadfoot, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Kleberg, Dunlap of Hays, Duvall, Dwyer, England, Fain, Farmer, Fisher, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hanna, Hardin, Harper, Harris of Archer, Harris of Dallas, Hartzog, Head, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Wise, Jones of Shelby, Jones of Falls, Jones of Atascosa, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, McKinney, Moffett, Moore, Morris, Morrison, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reader, Reed of Bowie, Reed of Dallas, Riddle, Roach of Hunt, Roach of Angelina, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Sessions, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Thornton, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Montague, Wood of Harrison, Worley, Young and Youngblood.

On motion of Mr. Smith, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

In Memory of  
**A. Lasco Harper**

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Mr. Wood of Harrison offered the following resolution:

Whereas, The Members of the House of Representatives have learned with great sorrow of the passing on October 10, 1936, of Mr. A. Lasco Harper, of Atlanta, Cass County, Texas, brother of our beloved fellow-member, George Harper;

Whereas, Our sincerest and most heartfelt sympathy goes out to the family of Mr. Harper; therefore, be it

Resolved, That the Members of the Forty-fourth Legislature express their deepest regret at the passing of this worthy citizen; and, be it further

Resolved, That a copy of this resolution be spread on the Journal of today in memory of the deceased; and, be it further

Resolved, That copies of this resolution be forwarded to the members of Mr. Harper's family, under the seal of the Chief Clerk of the House of Representatives.

WOOD of Harrison,  
CROSSLEY,  
McKEE,  
REED of Bowie.

The resolution was read second time.

Signed—Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Bergman, Bourne, Bradbury, Bradford, Bridgers, Broadfoot, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Kleberg, Dunlap of Hays, Duvall, Dwyer, England, Fain, Farmer, Fisher, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hanna, Hardin, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Wise, Jones of Shelby, Jones of Falls, Jones of Atascosa, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKinney, Moffett, Moore, Morris, Morrison, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reader, Reed of Dallas, Riddle, Roach of Hunt, Roach of Angelina, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Sessions, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Thornton, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Montague, Worley, Young and Youngblood.

On motion of Mr. Reed of Bowie, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.